

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

MARLON T. HOLMES,

Petitioner

v.

DANIEL KEEN, et al.,

Respondents

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CIVIL ACTION NO. 3:13-1935

(MANNION, D.J.)  
(BLEWITT, M.J)

**ORDER**

In light of the memorandum issued this same day, **IT IS HEREBY  
ORDERED THAT:**

- (1) The report and recommendation, (Doc. No. [6](#)), of Judge Blewitt is  
**ADOPTED**;
- (2) petitioner's motion to proceed in forma pauperis, (Doc. No. [4](#)), is  
**GRANTED** for the sole purpose of filing this action;
- (3) the petition for habeas corpus is **DISMISSED**, (Doc. No. [1](#)),  
without prejudice, and;
- (4) the Clerk is directed to close the case.

s/ *Malachy E. Mannion*  
**MALACHY E. MANNION**  
United States District Judge

**Date: October 15, 2013**